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SUBJECT: SERBIA: WAR CRIMES AMBASSADOR RAPP HIGHLIGHTS IMPORTANCE OF  
CATCHING RATKO MLADIC/GORAN HADZIC

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[1](#)1. (U) Ambassador Rapp has cleared this cable.

Summary

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[1](#)2. (SBU) In meetings with President Tadic and other Serbian government officials on October 16, Ambassador at Large for War Crimes Issues Stephen Rapp received updates on the search for International Criminal Tribunal for the Former Yugoslavia (ICTY) fugitives Ratko Mladic and Goran Hadzic and highlighted the importance of capturing them, offering U.S. assistance. He also discussed domestic Serbian war crimes trials and cooperation with regional neighbors. Serbian officials made it clear to Ambassador Rapp their commitment to finding the fugitives, but they avoided Ambassador Rapp's suggestion that they take up the challenge of influencing public opinion about the need for war crimes trials. Both sides agreed on the clear need for increased regional war crimes cooperation. End Summary.

U.S. Message: Capturing Fugitives Essential

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[1](#)3. (U) Ambassador Rapp met with Serbian President Boris Tadic, Serbian National Council for Cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY) Chairman Rasim Ljajic, War Crimes Prosecutor Vladimir Vukcevic, War Crimes Special Court President Sinisa Vazic, and War Crimes Investigations Service Chief Aleksandar Kostic in Belgrade on October 16.

[1](#)4. (SBU) Ambassador Rapp emphasized to all of his interlocutors that cooperation with the ICTY, in particular handing over the remaining two fugitives, Ratko Mladic and Goran Hadzic remained essential. He added that while he would give his assessment of Serbia's efforts to Brammertz, capturing Mladic was the ultimate solution to making progress on EU accession. The Ambassador also conveyed the USG's willingness to help Serbia in any way possible, pointing to the recently completed FBI assessment as a sign of USG commitment. Ambassador Rapp suggested there might be other ways

the United States could help, such as tracking financial support to Mladic.

#### Tadic Meeting

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15. (SBU) President Tadic told Ambassador Rapp that those who likely were hiding Mladic had links to organized crime and wealth attributable to '90's wartime profiteering. Tadic therefore was enthusiastic about his intelligence services' cooperation with the U.S. Drug Enforcement Agency in the recent capture of 2.8 tons of cocaine off the coast of Uruguay ([http://www.b92.net/eng/news/crimes-article.php?yyyy=2009&mm=10&dd=19&nav\\_id=62454](http://www.b92.net/eng/news/crimes-article.php?yyyy=2009&mm=10&dd=19&nav_id=62454)). This seizure would open the door to arrests of a number of organized crime figures in Serbia, as well as in Montenegro and Bosnia-Herzegovina, he said, and perhaps shake the trees of the organized crime elements involved with shielding Mladic. Tadic said he hoped to increase and expand U.S. intelligence and security links in order to bolster Serbia's role as a pillar of stability in the region.

16. (SBU) Referring to the recent FBI assessment, Tadic thanked Ambassador Rapp and the USG for offering the assistance and said Serbia very much welcomed the help. Tadic expressed his frustration with the Dutch position on blocking Serbian accession to the EU until Mladic and Hadzic were apprehended and turned over

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to The Hague. "My people are starting to ask me what I have delivered in terms of EU accession and as long as the Dutch block us, they are adding to the ammunition of the opposition, i.e., the Serbian Progressive Party." Tadic said he also was frustrated with the role his former Prime Minister Vojislav Kostunica's Democratic Party of Serbia (DSS) had played in hiding information about Mladic from Tadic. "I believe they have violated our law," he said, "and when Mladic is caught, we will prove that." Summing up, Tadic said, "we are counting on the United States to help us."

17. (SBU) In response Ambassador Rapp said he doubted the Dutch position would change without the capture of Mladic. He encouraged the president to emphasize the atmospherics in Serbia surrounding Mladic and the war crimes tribunal in general. "You need to get out the message that the court is good, and members of the government need to speak respectfully of the institution."

#### Fugitive Hunt

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18. (SBU) Other Serbian officials told Ambassador Rapp that it was the government's priority to deliver the two remaining fugitives to The Hague Tribunal and thus close this painful chapter of Serbia's history. ICTY Cooperation Chair Ljajic and others asked for USG assistance convincing the Dutch of Serbia's efforts. Ljajic said that the government was in a difficult position, with no support for ICTY cooperation among a public which saw it as simply an extra condition for EU accession; what he described as "enormous international pressure" made it more difficult to explain the need for cooperation to the public. Ambassador Rapp told Ljajic it was important that government officials not speak out against the ICTY's decisions, because doing so sent the wrong message. Ljajic said the ICTY was very unpopular and had issued many strange decisions, such as seemingly extra harsh sentences for Serbs such

as Lukic, although he agreed the message had to be balanced. Ljajic added that on other issues of ICTY cooperation, Serbia was fulfilling all requests for witness subpoenas, witness protection, and archive access.

¶9. (SBU) Despite many challenges, the Action Team responsible for capturing Mladic and Hadzic would be successful because of its efforts, officials told Ambassador Rapp. Difficulties included the years that had passed since the former government had had good information on the fugitives' whereabouts in 2006, the likelihood that both had altered their appearance and were using false identities, the vast number of useless tips called into the police that had to be investigated, difficulties tracking how the fugitives communicated with family, and financial support, according to war crimes police head Kostic and war crimes prosecutor Vukcevic. Kostic noted that Radovan Karadzic had been supporting himself with only 450 Euros a month immediately prior to his apprehension in 2008. Ljajic said the Action Team had approached Russia for help on both fugitives, since there was evidence they had travelled to or contemplated travel to Russia.

#### Domestic War Crimes Trials

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¶10. (SBU) Ambassador Rapp's interlocutors also noted the successes of Serbia's domestic war crimes trials in the Serbian War Crimes Special Court. They all expressed thanks for the USG's strong and continuing support to the court and the police War Crimes Investigation Service. Ambassador Rapp noted the importance of having trials in national courts, which facilitated reconciliation. Kostic said the domestic trials had been important in helping the Serbian public understand that Serbs had committed war crimes and not just been victims of them. Ambassador Rapp told Judge Vazic he was concerned that the Supreme Court had overturned many of the Special Court's convictions. Vazic noted that Supreme Court judges

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lacked the specialized training to understand war crimes cases. Under provisions of the judicial reform package (Ref A), the Appeals Courts would hear war crimes appeals and those judges would be required to obtain training, resulting in better appeals outcomes. Ambassador Rapp asked Vukcevic about the acquittals in the Bytyqi trial for killings of three American citizen brothers (Ref B). Vukcevic said his office would appeal the acquittals. Both he and Kostic noted the difficulties getting police with information on the case to talk.

#### Regional Cooperation

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¶11. (SBU) Regional cooperation on war crimes was mixed, officials told Ambassador Rapp. While Kostic said cooperation with EULEX, the Croatian police, and Bosnian intelligence services had helped collect evidence on the ICTY fugitives, Ljajic said the monthly meetings with regional intelligence agencies were no longer useful, and he asked for USG support in emphasizing the need for cooperation in the fugitive search. On domestic cases, Vukcevic noted that evidence transfer agreements with Croatia and Montenegro had been successful, helping Serbia to try 28 cases with evidence transferred from Croatia; USG-aided efforts to establish a similar agreement with Bosnia had stalled, however. A key problem, Vukcevic said, was that Bosnia wanted to try those cases in which the crimes had occurred in Bosnia, whereas Serbia wanted to try individuals who were present in Serbia and could not be extradited

because of the lack of extradition agreements. Serbia had just passed a law allowing extradition if a bilateral agreement existed, but Croatia and Bosnia still had constitutional prohibitions. In the meantime, evidence transfer was the only way to prosecute these cases, said Vukcevic. Ambassador Rapp pledged his office's continuing support to the negotiations with Bosnia and to other regional cooperation efforts.

Comment

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¶12. (SBU) Conversations with Serbian officials confirmed that Serbia is making strong efforts to capture the fugitives, but officials involved in the fugitive search know that they need a lucky break that could come soon or not. Serbian officials were clearly hoping Ambassador Rapp would attempt to convince the Dutch to drop their objections to implementation of Serbia's Stabilization and Association Agreement. With the exception of ICTY Cooperation Chair Ljajic, who frequently speaks publicly about the importance of ICTY cooperation, interlocutors did not respond to Ambassador Rapp's message that public sentiment about ICTY cooperation would not change without strong messages from the leadership. The visit also highlighted the need to continue to work with governments in the region to improve cooperation on the fugitive search and on domestic trials. End Comment.  
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